

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JONATHAN THOMAS,
Plaintiff,

Case No. 1:16-cv-793
Black, J.
Litkovitz, M.J.

vs.

RON ERDOS, et al.,
Defendants.

ORDER

Plaintiff, an inmate at the Southern Ohio Correctional Facility (SOCF), brings this action under 42 U.S.C. § 1983 for violations of his civil rights. Plaintiff filed a motion to compel the production of documents on August 25, 2017. (Doc. 54). Plaintiff alleges he mailed two requests for production of documents to defendants' counsel; counsel sent plaintiff a letter in July 2017 stating he would send a formal response to the document request by August 7, 2017; and plaintiff received another letter from counsel on August 10, 2017 stating he needed more time and requesting another week to respond. Plaintiff states that as of August 17, 2017, he had not received the requested discovery.

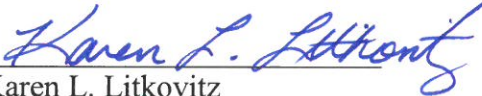
Defendants filed a response in opposition to plaintiff's motion to compel conceding that they had not fully complied with plaintiff's document requests as of August 21, 2017, the date plaintiff signed his motion. (Doc. 56). However, defendants' counsel states that he subsequently sent plaintiff a letter and documents on August 24, 2017 that satisfied plaintiff's pending discovery requests. (*Id.*; Doc. 56-1). Defendants contend that plaintiff's motion to compel is therefore moot.

Plaintiff did not file a reply memorandum and does not dispute that since filing the motion to compel, he has received the documents he requested that are the subject of his motion.

Plaintiff's motion to compel (Doc. 54) is therefore **DENIED** as moot.

IT IS SO ORDERED.

Date: 12/7/17


Karen L. Litkovitz
United States Magistrate Judge